

Introduced by Senator Torlakson

February 18, 2005

An act to add Section 11005.4 to the Government Code, relating to state property.

LEGISLATIVE COUNSEL'S DIGEST

SB 522, as introduced, Torlakson. State property: vending machines.

Existing law regulates various aspects of the provision of food and beverages in vending machines, including access to carbonated beverages at schools, the giving of priority to blind persons with respect to the operation of vending facilities on state property, the sanitation of vending machines and requiring public health permits, and the placement of vending machines in safety roadside rests on the state highway system.

This bill would require each vendor that operates or maintains a vending machine on designated state property to satisfy the requirement that at least 50% of the food and beverages offered in the vending machine meets accepted nutritional guidelines, as defined, and to provide to users, upon request, information about the nutritional value of food and beverages offered in the vending machine and procedures for requesting a change in vending machine offerings.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 11005.4 is added to the Government
- 2 Code, to read:

1 11005.4. (a) For purposes of this section, the following terms
2 have the following meanings:

3 (1) “Accepted nutritional guidelines” as used in this section
4 means the following:

5 (A) Beverages that are the following or meet the following
6 standards:

7 (i) Water.

8 (ii) Milk, including, but not limited to, chocolate milk, soy
9 milk, rice milk, and other similar dairy or nondairy milk.

10 (iii) Electrolyte replacement beverages that do not contain
11 more than 42 grams of added sweetener per 20 ounce serving.

12 (iv) One hundred percent fruit juice.

13 (v) Fruit-based drinks composed of no less than 50 percent
14 fruit juice and that have no added sweeteners.

15 (B) Food that meets the following standards:

16 (i) Not more than 35 percent of its total calories are from fat.
17 This subparagraph does not apply to nuts or seeds.

18 (ii) Not more than 10 percent of its total calories are from
19 saturated fats.

20 (iii) Not more than 35 percent of its total weight is from sugar.
21 This clause does not apply to fruits and vegetables.

22 (2) “Added sweetener” means any additive that enhances the
23 sweetness of a beverage, including, but not limited to, added
24 sugar, but does not include the natural sugar or sugars that are
25 contained within the fruit juice that is a component of the
26 beverage.

27 (3) “State property” as used in this section means all real
28 property, or part thereof, used for state purposes and either
29 owned, leased, rented, or otherwise controlled by, and occupied
30 by, any state agency, including the California State University.

31 (4) “Vending machine” means any mechanical device the
32 operation of which depends upon the insertion of a coin or other
33 thing representative of value and that dispenses or vends a food
34 product or beverage.

35 (b) Each vendor that operates or maintains a vending machine
36 on state property shall do both of the following:

37 (1) Satisfy the requirement that at least 50 percent of the food
38 and beverages offered in the vending machine on state property
39 meets accepted nutritional guidelines.

1 (2) Provide to users, upon request, information about the
2 nutritional value of food and beverages offered in the vending
3 machine and procedures for requesting a change in vending
4 machine offerings. Attaching this information to the exterior of
5 the vending machine shall be deemed to satisfy the requirements
6 of this paragraph.

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